IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C 10-4234 SI

IMPLICIT NETWORKS, INC.,

        Plaintiff,

  v.

JUNIPER NETWORKS, INC.,

        Defendant.

/

ORDER ON STIPULATIONS TO FILE UNDER SEAL

Currently before the Court are the parties' stipulations to file under seal [Docket Nos. 210, 224] portions of documents filed in connection with defendant's motion for attorney fees.

With respect to defendant's request [Docket No. 210], the Court GRANTS the request to file under seal material that discusses or identifies Juniper's source code in Exhibits 12, 15 and 17. The Court also GRANTS the request to file under seal material discussing confidential settlements and settlement offers in Exhibit 5 and footnote four of Juniper's brief. The request to file under seal is DENIED as to Exhibit 18, containing information regarding defense counsel's hourly rates and total hours. Defendant has neither made a particularized showing of how or articulated a reason why a specific harm or prejudice *will* result from disclosure, to justify sealing. This type of information is routinely provided to the Court in connection with motions for attorneys fees and typically filed in the public docket. Within five (5) days of the date of this Order, Juniper shall e-file in the docket public copies of its submissions redacting only the information allowed by this Order.

With respect to plaintiff's request [Docket No. 224], that request is granted for any information the Court has already ruled can be filed under seal, *i.e.*, confidential source code and confidential client configuration information. *See* Docket No. 188. With respect to defendant's "financial information,"

1 mentioned by Implicit in its request, that information has not been identified and there is no indication

2 that the Court has already allowed the parties to file this "financial information" under seal. Therefore,

3 within five (5) days of the date of this Order, defendant shall submit a declaration identifying the

4 specific "financial information" it requests the Court seal and provide a particularized showing of how

5 or articulate a reason why a specific harm or prejudice *will* result from disclosure.

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8   **IT IS SO ORDERED.**

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Dated: April 24, 2013

10   SUSAN ILLSTON
                                                               United States District Judge

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